

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MANUEL HERNANDEZ,

Plaintiff,

v.

CYNTHIA LINK, *et al.*,

Defendants.

CIVIL ACTION
NO. 18-02912

ORDER

AND NOW, this 20th day of December 2019, upon consideration of Joseph Korszniak & Cynthia Link's Motion to Dismiss Amended Complaint (ECF No. 49), Correct Care Solutions & Stephen Weiner's Motion to Dismiss Amended Complaint (ECF No. 50), Manuel Hernandez's Response to Wills Eye Hospital's Letter (ECF No. 58) and Hernandez's Response to Link & Korszniak's Motion to Dismiss (ECF No. 60), it is hereby **ORDERED** that:

1. Link & Korszniak's Motion to Dismiss is **GRANTED**. All Eighth Amendment claims against Link and Korszniak are **DISMISSED with prejudice**; the remaining claims are **DISMISSED without prejudice**;
2. Correct Care Solutions & Stephen Weiner's Motion to Dismiss is **GRANTED**. All Eighth Amendment claims against Correct Care and Weiner are **DISMISSED with prejudice**; the remaining claims are **DISMISSED without prejudice**.
3. Hernandez may amend his complaint—consistent with this Order and the attached Memorandum—**on or before Friday, February 3, 2020**;

4. Defendant Wills Eye Hospital shall **ANSWER** Hernandez’s Amended Complaint **on or before Friday, January 10, 2020**; by the same date, it shall **FILE A LETTER BRIEF**—not to exceed five single-spaced pages—explaining its failure to answer the Amended Complaint; with its letter brief, Wills Eye Hospital shall attach the October 17, 2019, letter it sent to Hernandez and explain the circumstances and propriety of the letter. *See* (Order Denying Extension as Moot ¶ 1, ECF No. 59); *Bilinski v. Wills Eye Hosp.*, 760 F. App’x 125 (3d Cir. 2019) (unpublished).

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.